

UNITED STATES CIVIL SERVICE COMMISSION
WASHINGTON 25, D. C.

December 10, 1958

Mr. Arthur B. Focke
General Counsel
Executive Office of the President
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Focke:

In response to your request of November 12, we have reviewed both the proposed Presidential directive exempting the Central Intelligence Agency from certain provisions of the Government Employees Training Act and the exchange of correspondence between the Budget Bureau and the Central Intelligence Agency concerning that directive.

We agree that most of the exemptions recommended are necessary and desirable, and we concur in the proposal that they be granted by Presidential action.

The proposed exemptions from sections 6, 14, and 16 of the Act seem to us to be unnecessary. Exemption from a portion of section 7 will effectively remove the Agency from Commission regulations issued under authority of section 6. Section 16 gives the Commission no authority to require from agencies information and materials which they do not wish to furnish. Any assignment of a CIA officer or employee to a facility advocating overthrow of the Government would be for purposes other than training and could undoubtedly be made under other authority than that contained in P.L. 85-507; from the standpoint of Congressional and public relations, therefore, it might be well to avoid a formal exemption from section 14. If further consideration by the Bureau and the Agency shows that these exemptions are desirable, however, we have no objection to their being granted.

The exemption from the section 10 provision should, we believe, read: "so much of section 10 as provides, 'in accordance with regulations issued by the Commission under authority of section 6(a)(8)'".

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We recommend that the Agency be exempted from the whole of section 11, rather than from that portion of 11(c) which refers to the Commission's regulations. This action would provide relief from the requirement imposed by section 11(a) that written agreements be obtained in advance from all employees assigned to training in non-Government facilities. We feel sure that such relief will be needed, and it will not be provided by the exemption which the Agency has proposed.

We agree with the Agency that so long as it establishes no new training programs under the Act, the effective date for the repeal of section 4 of the Central Intelligence Agency Act of 1949 will be 270 days following enactment of the Government Employees Training Act.

By direction of the Commission:

Sincerely,

(signed) Harris Ellsworth

Harris Ellsworth
Chairman